THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.22398 of 2006

Dated: 30-10-2006

Between:

Smt. K.M. Bhagya Laxmi Vennipusa Sulochana and another.

..... PETITIONERS

AND

The Chief Commissioner of Land Administration, Hyderabad, and others.

.....RESPONDENTS

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ORDER:

The two petitioners are allegedly owners of land admeasuring Ac.0.83 cents in survey Nos.112-3G and 112-3F situated at Somuladaddi Village, Ananthapur Mandal and District. Respondent No.4, namely, the Mandal Revenue Officer(MRO) initiated action under the provisions of the Andhra Pradesh Assigned Lands (Prohibition of Transfers) Act, 1977 (the Act, for brevity) and by order dated 07-06-2005 ordered resumption of the land. The petitioners' appeal was dismissed by respondent No.3, namely, the Revenue Divisional Officer(RDO) by proceedings in Rc.No.D2/D.Dis.No.764/2006 on 04-03-2006. Feeling aggrieved by the same, the petitioners again approached the District Collector by filing a revision under Section 4-B of the Act. They also prayed for stay of the proceedings of the lower authorities, *inter alia*, on the ground that from the date of purchase on 23-12-2003, they and their predecessors have been in possession of the land and that there are proposals to allot the land to respondent Nos.5 and 6. The Joint Collector, exercising powers of the District Collector, passed order/proceedings in Rc.No.E1/5800/2006 dated 30-08-2006, taking the revision/appeal on file and further ordered RDO and MRO to send the records and parawise remarks. No orders have been passed on the stay application. Assailing the inaction, present writ petition is filed.

After hearing the learned counsel for the petitioners and the learned Assistant Government Pleader for Revenue (Assignment), this Court is convinced that as on today when the matter is pending before respondent No.2, the apprehension of the petitioners that there is likelihood of transfer of the land in question to respondent Nos.5 and 6 is misplaced, nor the petitioners are able to demonstrate by producing necessary evidence in support of their apprehension. Therefore, it would be in the interests of justice to direct the Joint Collector, Ananthapur, either to dispose of the revision/appeal filed by the petitioners against the proceedings of RDO in Rc.No.D2/D.Dis.No.764/2006 dated 04-03-2006 or pass appropriate orders on the stay application filed by them. This may be done within a period of one week from the date of receipt of a copy of this order. Except such observation, this Court is not inclined to grant any relief in this writ petition.

The writ petition, with the above observations, is accordingly disposed of. No costs.

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V.V.S.RAO, J

30th October, 2006
Note: Issue CC by 31-10-2006
B/o
ghn